

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmember's

FROM/PHONE: Mark A. Kutney, AICP (954-797-1101)

SUBJECT: Ordinance – Dedication of Right-of-Way

AFFECTED DISTRICT: District 3 - Susan Starkey

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM CERTAIN RESIDENCES CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

In December of 2000, the Town Council in concert with the Interlocal Consortium undertook a Drainage and Water Control Study, in which SW 23 Street was found to be in need of drainage and road improvements.

The study found the following:

1. Because the existing roadway is so low and close to the groundwater table, it was recommended that the roadway be raised so that an effective swale area could be created which will not continually hold water.
2. In conjunction with raising the roadway, it is proposed to install a positive drainage system for the entire length of the roadway to a Point of outfall into the N-17 Canal along the east boundary line. The proposed drainage system would consist of catch basins on both sides of the roadway which would be connected to the outfall. This drainage system, together with the defined swale area would convey the runoff to the District's Canal. A roadway easement appears to exist in the area proposed for the drainage installation which would allow for its construction.
3. All driveway crossings should be either swaled or piped to maintain the continuity in the swale system.

This ordinance would enable the Town's Engineering Department to provide the necessary improvements to SW 23 Street, as indicated above and per the Drainage and Water Control Study.

PREVIOUS ACTION: None

CONCURRENCES: None

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Staff recommends that the subject report, on the dedication of road right-of-way, be reviewed and discussed by Town Council so that a final decision may be rendered.

Attachment(s): Ordinance with Back up, Land Use map, Subject Site map, and Aerial.

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM CERTAIN RESIDENCES CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain residences along SW 23 Street wish to satisfy requirements for dedication of land for public right-of-way, and in furtherance thereof have tendered a Warranty Deed to the Town of Davie.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The grant made by these Warranty Deeds as shown, copies of which are attached hereto as "Exhibit 1 - 8", are hereby accepted.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2002

PASSED ON SECOND READING THIS ____ DAY OF _____, 2002

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2002

This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 8 day of MARCH, 2002, Between **THE MOST REVEREND JOHN C. FAVALORA, Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole**, whose post office address is 9401 Biscayne Boulevard, Miami Shores, Florida 33138, of the County of Dade, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Ethel Marinelli
Witness

ETHEL MARINELLI
Type, Print Name

M. R. A.
Witness

MORAIMA J. LARTE
Type, Print Name

John C. Favalora (SEAL)
THE MOST REVEREND JOHN C.
FAVALORA, Archbishop of the Archdiocese
Of Miami, his successors in office, a
corporation sole

____ (SEAL)

STATE OF FLORIDA

COUNTY OF DADE

The foregoing instrument was acknowledged before me this 8th day of March, 2002, by **THE MOST REVEREND JOHN C. FAVALORA**, Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, who _____ is personally known to me, or who has produced _____ as identification, and has/have not taken an oath.

Ethel Marinelli
Notary Public, State of Florida

Type, Print, Stamp Name

My Commission Expires: June 5, 2005



This instrument prepared by:

Record & Return to:
Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 27 day of FEBRUARY 2002, Between **FRANK CASEY and SHIRLEY CASEY, his wife**, whose post office address is 2300 SW 112TH AVE of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Michael Ward

Witness

MICHAEL WARD

Type, Print Name

Richard K. Recktenwald

Witness

RICHARD K. RECKTENWALD

Type, Print Name

Frank Casey (SEAL)
FRANK CASEY

Shirley Casey (SEAL)
SHIRLEY CASEY

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 27th day of Feb, 2002 by **FRANK CASEY and SHIRLEY CASEY**, who ☒ is/are personally known to me, or who has/have produced _____ as identification, and has/have not taken an oath.

Karl E Wright
Notary Public, State of Florida
Karl E Wright
Type, Print, Stamp Name

My Commission Expires:



This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 22 day of May, 2002, Between **RODNEY W. HICKS and KAREN HICKS, husband and wife**, whose post office address is 1020 SW 23 ST DAVIE, of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

**Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

WVA 58 113

Signed, sealed and delivered in our presence:

Sheila Browne

Witness.

Sheila S. Browne

Type, Print Name

Jose A. Sanchez

Witness

Jose A. Sanchez

Type, Print Name

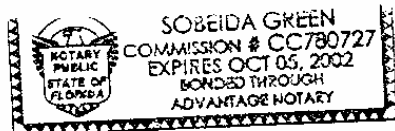
Rodney W. Hicks (SEAL)
RODNEY W. HICKS

Karen Hicks (SEAL)
KAREN HICKS

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 22 day of May, 2002, by **RODNEY W. HICKS and KAREN HICKS**, who _____ is/are personally known to me, or who has/have produced Driver License as identification, and has/have not taken an oath.



Sobeida Green
Notary Public, State of Florida
Sobeida Green
Type, Print, Stamp Name

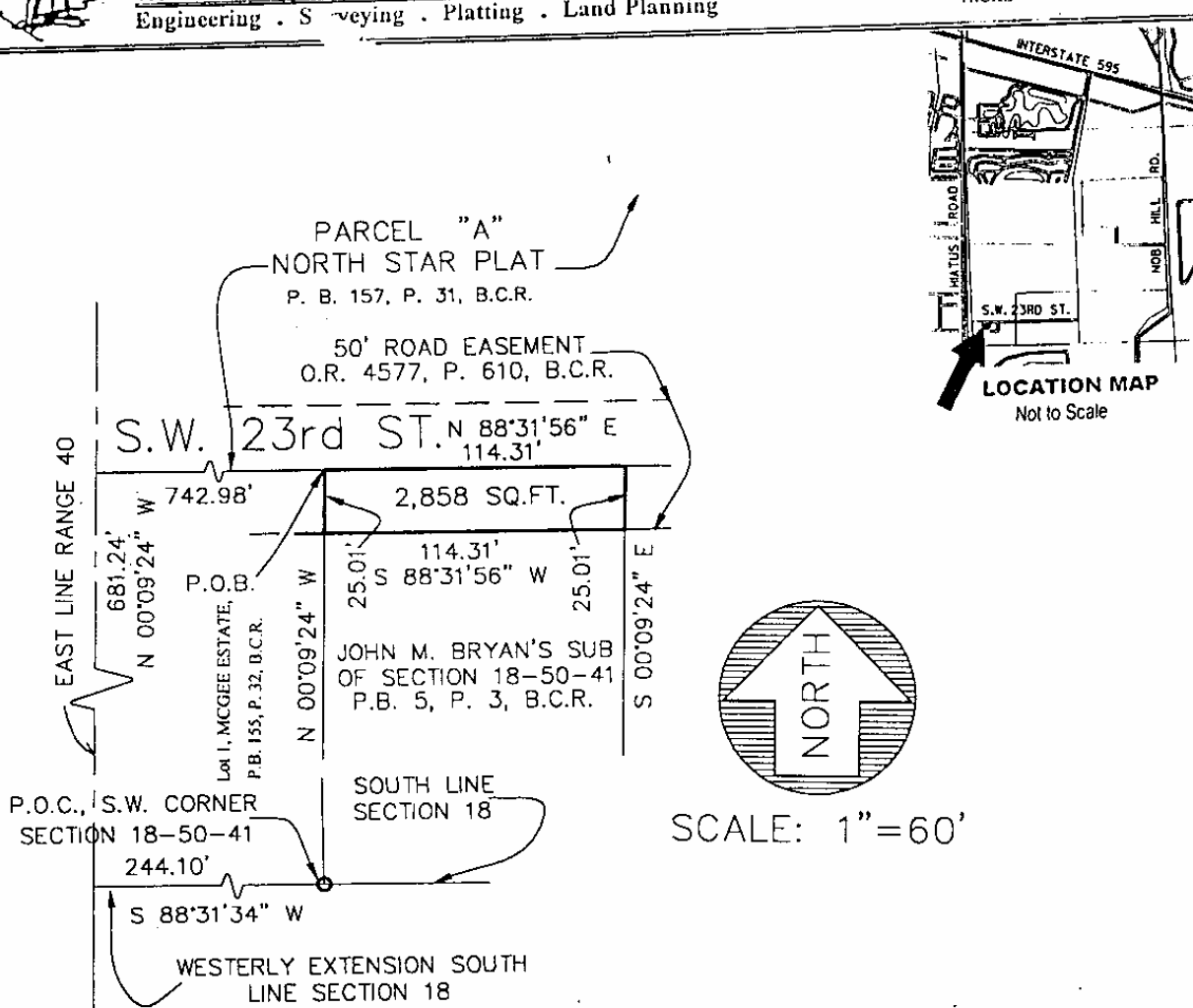
My Commission Expires:

2002 MAY



Exhibit A
McLAUGHLIN ENGINEERING CO. [L.B. #285]
Telephone (954) 763-7611 . Telecopier (954) 763-7615
400 N. E. Third Avenue, Fort Lauderdale, Florida 33301
Engineering . Surveying . Platting . Land Planning

HICKS



SKETCH AND DESCRIPTION

A portion of **JOHN M. BRYAN'S SUBDIVISION OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 41 EAST**, according to the plat thereof recorded in Plat Book 5, Page 3, of the public records of Broward County, Florida, more fully described as follows:

Commencing at the Southwest corner of said Section 18; thence South 88°31'34" West, on the Westerly extension of the South line of said Section 18, a distance of 244.10 feet; thence North 00°09'24" West, on the East line of Range 40 East, a distance of 681.24 feet; thence North 88°31'56" East, a distance of 742.98 feet to the Point of Beginning; thence continuing North 88°31'56" East, a distance of 114.31 feet; thence South 00°09'24" East, a distance of 25.01 feet; thence South 88°31'56" West, a distance of 114.31 feet; thence North 00°09'24" West, a distance of 25.01 feet the Point of Beginning.

Said land situate, lying and being in the Town of Davie, Broward County, Florida, and containing 2,858 square feet or 0.0656 Acres more or less.

Certified correct. Dated at Fort Lauderdale, Florida, this 25th day of October, 2000.

NOTES:

McLAUGHLIN ENGINEERING CO.

This instrument prepared by:
Monroe D. Kiar, Attorney at Law
6191 SW 45th Street
Suite 6151A
Davie, Florida 33314

Record & Return to:

PARTIAL RELEASE OF MORTGAGE

Know All Men By These Presents:

WHEREAS, RODNEY W. HICKS and KAREN HICKS, his wife, mortgagor, by Indenture of Mortgage bearing the date the 5th day of November, A.D., 1998, and recorded in the office of the Clerk of Circuit Court of Broward County, State of Florida, in Official Records Book 28992, Page 749, of the Public Records of Broward County, Florida, which said mortgage was assigned by Assignment of Mortgages bearing the date the 17th day of March, A.D., 1999, recorded in the Office of the Clerk of Circuit Court of Broward County, State of Florida, in Official Records Book 29486, Page 1345, of the Public Records of Broward County, Florida, mortgaged unto **REPUBLIC SECURITY BANK, F.S.B., mortgagee, the premises therein** particularly described, to secure the payment of the sum of ONE HUNDRED SEVENTY ONE THOUSAND AND NO/100 (\$171,000.00) Dollars, with interest as therein mentioned, and

WHEREAS, the said NORWEST MORTGAGE, INC., a Minnesota Corporation, has merged with WELLS FARGO HOME MORTGAGE, INC., and is now known as WELLS FARGO HOME MORTGAGE, INC., and

WHEREAS, the said RODNEY W. HICKS and KAREN HICKS, his wife, Mortgagor, have requested the said WELLS FARGO HOME MORTGAGE, INC., Mortgagee, to release the premises hereinafter described, being part of said mortgaged premises, from the lien and operation of the Mortgage,

NOW THEREFORE, KNOW YE, That the said WELLS FARGO HOME MORTGAGE, INC., as well as in consideration of the premises as of the sum of THREE HUNDRED FIFTY AND NO/100 (\$350.00) DOLLARS, to it paid by the said Mortgagor at the time of the execution hereof, the receipt whereof, is hereby acknowledged, does remise, release and quit claim, exonerate and discharge from the lien and operation of said Mortgage unto the said Mortgagor, heirs and assigns, all that piece, parcel or tract of land being a part of the premises conveyed by said Mortgage, to wit:

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the same, with the appurtenances, unto the said Mortgagor, heirs and assigns forever, freed, exonerated and discharged of and from the lien of said mortgage, and every part thereof, provided always, nevertheless, that nothing herein contained shall in anywise impair, alter or diminish the affect, lien or Incumbrance, of the aforesaid Mortgage on the remaining part of said mortgaged premises, not hereby release therefrom, or any of the rights, remedies of the holder thereof.

IN WITNESS WHEREOF, the said WELLS FARGO HOME MORTGAGE, INC., Mortgagee, has caused these presents to be executed in its name, its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, this 18th day of July, A.D., 2002.

Signed, sealed and delivered in the presence of:

WELLS FARGO HOME MORTGAGE, INC.
[Corporate Seal]

Lorna L. Slaughter
Lorna L. Slaughter
Asst. Secretary

Jose X. Pinto
By: Jose X. Pinto
Asst. Vice President

Attested by: Lorrie Phelps
Lorrie Phelps

STATE OF MARYLAND

COUNTY OF FREDERICK

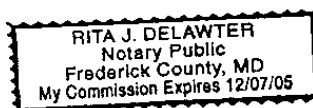
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Jose X. Pinto, well known to me to be the President, and Asst. Secretary respectively, of the corporation partially releasing the mortgage described in the foregoing instrument, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and seal in the County and State aforesaid this 18th day of July, A.D., 2002.

Rita J. Delawter
Notary Public

Type, Print, Stamp Name

My Commission Expires:



This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 15 day of February, 2002, Between **LO CONG HUYNH and LEKIM TRAN HUYNH, Husband and Wife**, 10850 S.W. 23rd St, Davie, Fl. 33324, of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land; situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

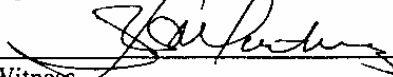
This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.


IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness

R. MARTINEZ

Type, Print Name


Witness

EUGENE TORNATORE

Type, Print Name

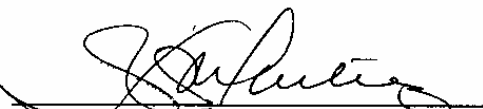
 (SEAL)
LO CONG HUYNH

 (SEAL)
LEKIM TRAN HUYNH

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 15 day of February, 2002, 2002, by **LO CONG HUYNH** and **LEKIM TRAN HUYNH**, who ☒ is/are personally known to me, or who has/have produced FLA DRIVERS LIC. as identification, and has/~~have~~ not taken an oath.


Notary Public, State of Florida

My Commission Expires:

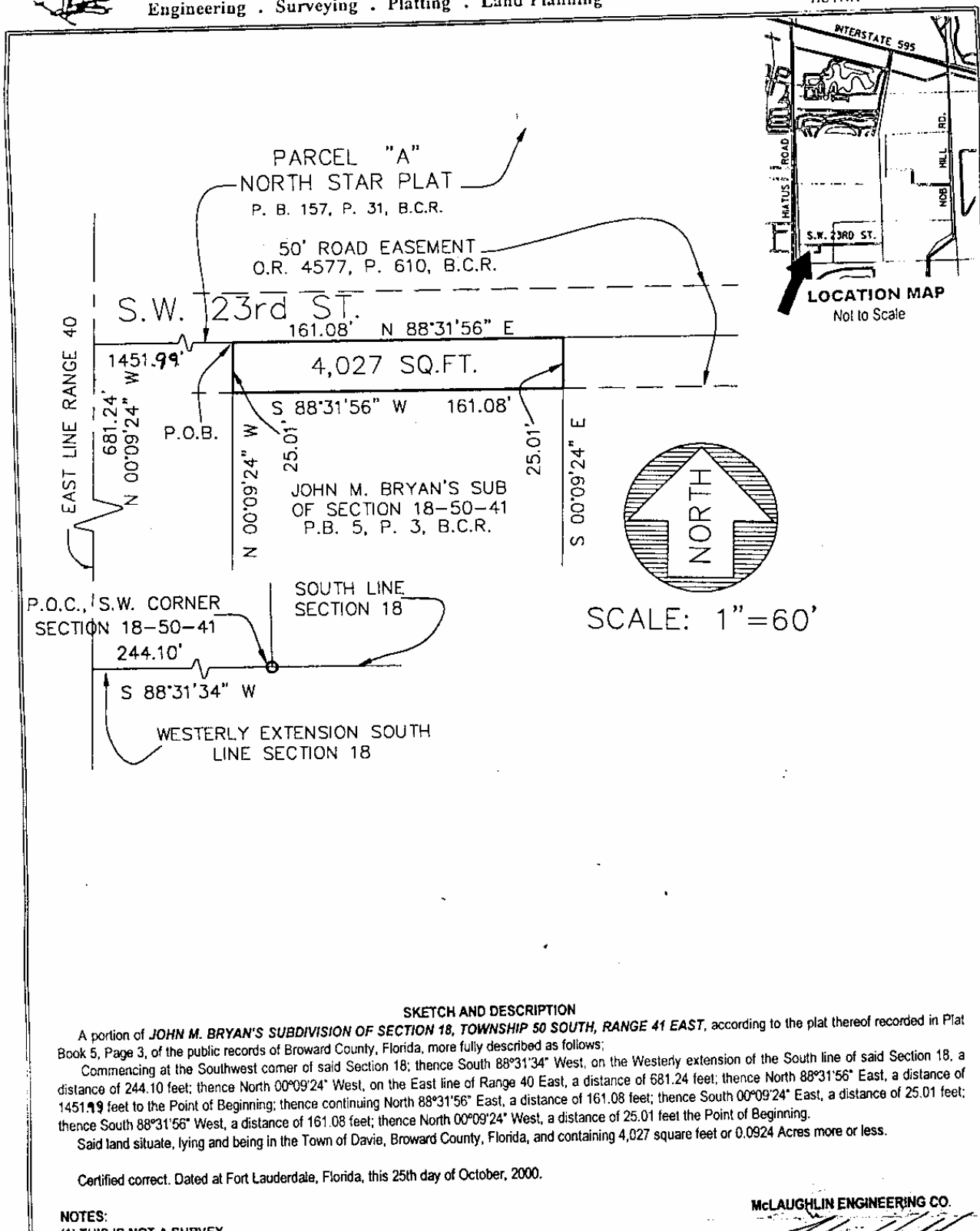
Type, Print, Stamp Name



Exhibit A



McLAUGHLIN ENGINEERING CO. [L.B. #2851]
 Telephone (954) 763-7611 . Telecopier (954) 763-7615
 400 N. E. Third Avenue, Fort Lauderdale, Florida 33301
 Engineering . Surveying . Platting . Land Planning



SKETCH AND DESCRIPTION

A portion of **JOHN M. BRYAN'S SUBDIVISION OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 41 EAST**, according to the plat thereof recorded in Plat Book 5, Page 3, of the public records of Broward County, Florida, more fully described as follows:

Commencing at the Southwest corner of said Section 18; thence South 88°31'34" West, on the Westerly extension of the South line of said Section 18, a distance of 244.10 feet; thence North 00°09'24" West, on the East line of Range 40 East, a distance of 681.24 feet; thence North 88°31'56" East, a distance of 1451.99 feet to the Point of Beginning; thence continuing North 88°31'56" East, a distance of 161.08 feet; thence South 00°09'24" East, a distance of 25.01 feet; thence South 88°31'56" West, a distance of 161.08 feet; thence North 00°09'24" West, a distance of 25.01 feet the Point of Beginning.

Said land situate, lying and being in the Town of Davie, Broward County, Florida, and containing 4,027 square feet or 0.0924 Acres more or less.

Certified correct. Dated at Fort Lauderdale, Florida, this 25th day of October, 2000.

NOTES:

(1) THIS IS NOT A SURVEY

(2)

This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 5th day of Aug, 2002, Between **MONIRA C. ISLAM, a married woman,** _____, of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness

Type, Print Name

Witness

Type, Print Name

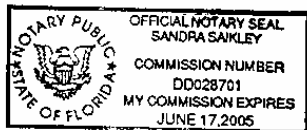
x Monira C. Islam (SEAL)
MONIRA C. ISLAM

(SEAL)

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 16 day of AUGUST, 2002, by **MONIRA C. ISLAM**, who _____ is/are personally known to me, or who has/have produced DL 1245-540-73-526-0 as identification, and has/have not taken an oath.



Sandra Saikley
Notary Public, State of Florida

SANDRA SAIKLEY
Type, Print, Stamp Name

My Commission Expires:

Return to: (enclose self-addressed stamped envelope)

Name Rita Grieco

Address Fidelity Federal Bank & Trust
205 Datura Street
West Palm Beach, FL 33401

This instrument Prepared by: Rita Grieco

Address Fidelity Federal Bank & Trust
205 Datura Street
West Palm Beach, FL 33401

Property Appraisers Parcel Identification (Folio) Number(s):
Loan #29569177

PARTIAL RELEASE OF MORTGAGE

SPACE ABOVE THIS LINE FOR RECORDING DATA

Know All Men By These Presents:

Whereas, MONIRA C. ISLAM, JOINED BY HER SPOUSE, MOHAMMED M. ISLAM hereinafter referred to as the mortgagor, by Indenture of Mortgage bearing date the 29th, day of August, A.D. 2000, and recorded in the office of the Clerk of Circuit Court in and for the County of Broward, State of Florida, in Official Records Book 30825, Page 0448, granted and conveyed unto Fidelity Federal Bank & Trust hereinafter referred to as the mortgagee and their assigns, the premises therein particularly described, to secure the payment and the sum of \$475,000.00 Dollars, with interest as therein mentioned:

And Whereas, the said mortgagor has requested the said mortgagee to release the premises hereinafter described, being part of said mortgaged premises, from the lien and operation of said Mortgage:

Now Therefore, Know Ye, that the said mortgagee in consideration of the premises and of the sum of \$10.00. Dollars, to it in hand paid by, or on behalf of, the said mortgagor at the time of the execution hereof, the receipt whereof is hereby acknowledged, does remise, release, quit-claim, exonerate and discharge from the lien and operation of said mortgage unto the said mortgagor, their heirs and assigns, that certain portion of the premises conveyed by said mortgage, more particularly described as follows:

**A portion of John M. Bryan's subdivision of Section 18, Township 50 South, Range 41 East
(See Attached)**

To Have and to Hold the same, with the appurtenances, unto the said mortgagor, heirs and assigns forever, freed, esonerated and discharged of and from the lien of said mortgage, and every part thereof; provided always, nevertheless, that nothing herein contained shall in anywise impair, alter or diminish the effect, lien or encumbrance of the aforesaid Mortgage on the remaining part of said mortgaged premises, not hereby released therefrom, or any of the rights and remedies of the holder thereof.

In Witness Whereof, the said Mortgagee has hereunto set its hand and seal this 14th day of August, 2002.

Signed, sealed and delivered in the presence of:

Billie Byers

Debra K. Schiavone

Brenda Hill

Senior Vice President

L.S.

STATE OF FLORIDA,
COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared Debra K. Schiavone as Senior Vice President of Fidelity Federal Savings Bank of Florida, now known as Fidelity Federal Bank & Trust to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that executed the same.

A portion of JOHN M. BRYAN'S subdivision of Section 18, Township 50 South, Range 41 East, according to the plat thereof recorded in Plat Book 5, Page 3, of the public records of Broward County, Florida, more fully described as follows:

Commencing at the Southwest corner of said Section 18; thence South 88°31'34" West, On the Westerly extension of the South line of said Section 18, a distance of 244.10 feet; thence North 00°09'24" West, on the East line of Range 40 East, a distance of 681.24 feet; thence North 88°31'56" East, a distance of 285.76 feet to the Point of Beginning; thence continuing North 88°31'56" East, a distance of 207.22 feet; thence South 00°09'24" East, a distance of 25.01 feet; thence South 88°31'56" West, a distance of 207.22 feet; thence North 00°09'24" West, a distance of 25.01 feet the Point of Beginning.

This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture, made this 07 day of AUG, 2002, Between **HUSSAIN ALI MITHAVAYANI, a married man, and ANWARR M. MITHAVAYANI, a single man**, whose post office address is 11000 SW 23 ST, DAVIE, FL, of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Geri A Baluss
Witness
GERI A BALUSS
Type, Print Name

Larry A. Peters
Witness
LARRY A. PETERS
Type, Print Name

Hussain Ali Mithavayani (SEAL)
HUSSAIN ALI MITHAVAYANI

Anwar Mithavayani (SEAL)
ANWAR M. MITHAVAYANI

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 8 day of August, 2002, by **HUSSAIN ALI MITHAVAYANI** and **ANWAR M. MITHAVAYANI**, who _____ is/are personally known to me, or who has/have produced H315-321-58-215 as identification, and has/have not taken an oath.

Ann Romano
Notary Public, State of Florida

Ann Romano
Type, Print, Stamp Name

My Commission Expires:



This instrument prepared by:

Record & Return to:

Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 21 day of February, 2002, Between **BARRY REED** and **ROBIN REED, his wife**, whose post office address is 11060 SW 23 St
Davie Florida, of the County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal Corporation**, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

See Attached Exhibit "A"

This Deed is made for the purpose of giving and granting to the party of the second part, its successors, legal representatives and assigns, a road dedication in and to said lands for public highway purposes.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Mary Picallo
Witness

MARY PICALLO
Type, Print Name

Nikki Auld
Witness

Nikki Auld
Type, Print Name

B. Reed (SEAL)
BARRY REED

R. Reed (SEAL)
ROBIN REED

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 21 day of February, 2002, by **BARRY REED and ROBIN REED**, who _____ is/are personally known to me, or who has/have produced _____ as identification, and has/have not taken an oath.

Victor Erik
Notary Public, State of Florida

Victor Erik
My Commission Expires August 15, 2003
Type, Print, Stamp Name

My Commission Expires:

Recording Requested By:

When Recorded Mail To:
First Nationwide Mortgage Corp
Department 4112
5280 Corporate Drive Frederick MD 21703
ATT: Barbara Dick
Loan # 5777225840

PARTIAL RELEASE OF MORTGAGE

WHEREAS: Barry S. Reed and Robin B. Reed, his wife, whose address is 11060 S.W. 23 Street, Davie, Florida 33324, by a Mortgage, dated March 8, 1996, and recorded March 18, 1996, as Instrument No. 96-127498, in Book 24619, Page 0575, by the Broward County Administrator, of Broward County, in the State of Florida, conveyed to McAloon Mortgage Company, Inc., which is organized and existing under the laws of the State of Florida, an whole address is 6565 Taft Street, Suite 100, Hollywood, FL 33024-4008, certain real estate, to secure the payment of certain Note or Notes in said Mortgage described and set forth; and whereas, said Mortgage and Note or Notes has or have been PARTLY paid and satisfied.

WHEREAS: The beneficial interest of said Mortgage was assigned to First Nationwide Mortgage Corporation, whose address is 5280 Corporate Drive, Frederick, MD 21703, by assignment recorded March 18, 1996, as Instrument No. 96-127499, in Book No. 24619, Page 0582, by the Broward County Administrator, of Broward County, in the State of Florida, and;

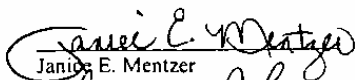
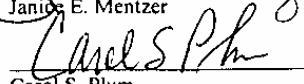
NOW, THEREFORE, the undersigned, present holder and legal owner of said Mortgage and Note or Notes, does hereby REMISE, RELEASE AND CONVEY, without warranty, to the present owner of said property, PART of the real estate in said Mortgage described, situated in Palm Beach County in the State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A".

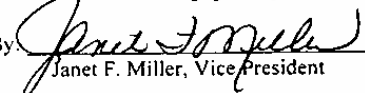
TO HAVE AND TO HOLD the same, with all the appurtenances thereto belonging free, clear and discharged from the encumbrance of said Mortgage. This Partial Release of Mortgage will not affect all other property described in said mortgage,

IN WITNESS WHEREOF, the undersigned has executed these presents this day of May 3, 2002

Witness:


Janice E. Mentzer

Carol S. Plum

First Nationwide Mortgage Corporation

By: 
Janet F. Miller, Vice President

STATE OF MARYLAND

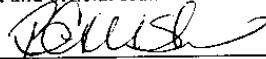
}SS:

COUNTY OF FREDERICK

On this day of May 3, 2002, before me, the undersigned, personally appeared Janet F. Miller (Officer, known to me to be the person whose name is subscribed to within the instrument and acknowledge that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC



MY COMMISSION EXPIRES:

3-12-2003

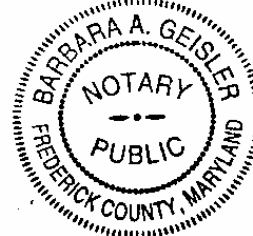


Exhibit "A"

A Portion of John M. Bryan's Sub-Division of Section 18, Township 50 South, Range 41 East, according to the plat thereof recorded in plat Book 5, Page 3, of the public records of Broward County, Florida, more fully described as follows;

Commencing at the Southwest corner of said Section 18, thence South 88 degrees 31 minutes 34 seconds West, on the Westerly extension of the South line of said Section 18, a distance of 244.10 feet; Thence North 00 degrees 09 minutes 24 seconds West, on the East line of Range 40 East, a distance of 681.24 feet; Thence North 88 degrees 32 minutes 20 seconds East, a distance of 492.98 feet to the Point of Beginning; Thence continuing North 88 degrees 31 minutes 56 seconds East, a distance of 125.00 feet; Thence South 00 degrees 09 minutes 24 seconds East, a distance of 25.01 feet; Thence South 88 degrees 31 minutes 56 seconds West, a distance of 125.00 feet; Thence North 00 degrees 09 minutes 24 seconds West, a distance of 25.01 feet to the point of Beginning.

Said land situate, lying and being in the Town of Davie, Broward County, Florida, and containing 3, 125 square feet or 0.0717 Acres more or less.

This instrument prepared by:
Monroe D. Kiar, Esquire
6191 SW 45th Street
Suite 6151A
Davie, Florida 33314

Record & Return to:
Davie Town Clerk's Office
6591 Orange Drive
Davie, Florida 33314

WARRANTY DEED (Statutory Form - Section 689.02, F.S.)

This Indenture; made this 13th day of Aug., 2002, Between W.A. BOST, II,
whose post office address is 600 SW 8th Ter. Ft. Lauderdale, FL 33305 and JANET J.
BOST, whose post office address is 4960 W. Broward Blvd., Pompano Beach, FL 33317 of the
County of Broward, State of Florida, Grantor* and the **TOWN OF DAVIE, A Municipal**
Corporation, whose post office address is **6591 Orange Drive, Davie, Florida, 33314**, of the
County of Broward, State of Florida, Grantee*,

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00)
Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the
receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and
Grantee's heirs and assigns forever, the following described land, situate, lying and being in Broward
County, Florida, to-wit:

See Attached Exhibit "A"

This property is not the homestead of either grantor.

and said Grantor does hereby fully warrant the title to said land, and will defend same against the
lawful claims of all persons whomever.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first
above written.

Signed, sealed and delivered in our presence:

C. Peter Ramey
Witness

C. Peter Ramey
Type, Print Name

Kathy Sabater
Witness

Kathy Sabater
Type, Print Name

Monroe D. Kiar
Witness

Monroe D. Kiar
Type, Print Name

Kathy Sabater
Witness

Kathy Sabater
Type, Print Name

W. A. Bost, II (SEAL)
W. A. BOST, II

Janet J. Bost (SEAL)
JANET J. BOST

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 13th day of August, 2002 by W. A. BOST, II, who is personally known to me, or who has produced _____ as identification, and has not taken an oath.

My Commission Expires:



Craig Weiner
MY COMMISSION # CC962806 EXPIRES
August 22, 2004
BONDED THRU TROY FARM INSURANCE, INC.

Craig Weiner
Notary Public, State of Florida

Craig Weiner
Type, Print, Stamp Name

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 13th day of August, 2002, by JANET J. BOST, who is personally known to me, or who has produced _____ as identification, and has not taken an oath.

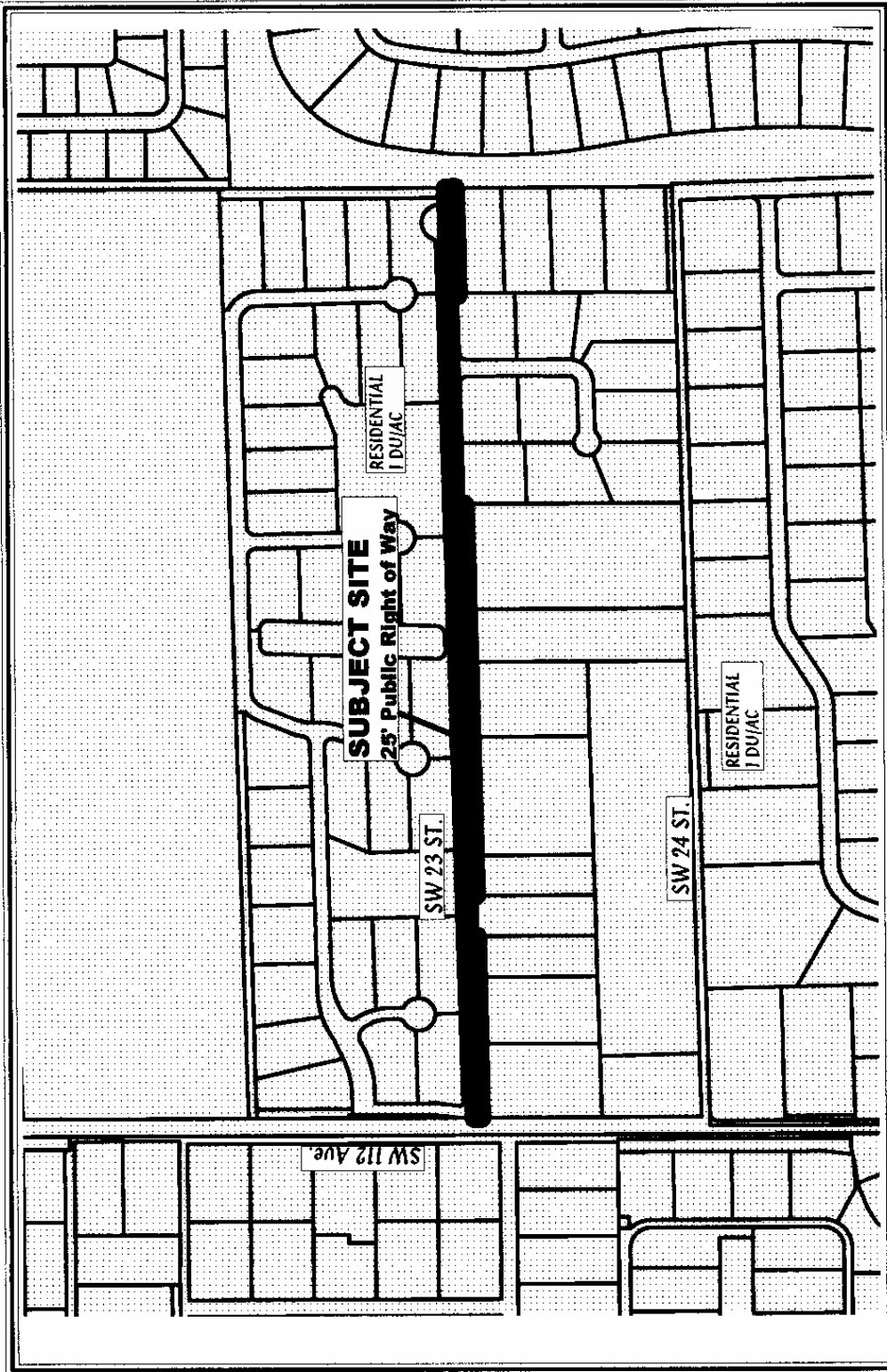
My Commission Expires:



Craig Weiner
MY COMMISSION # CC962806 EXPIRES
August 22, 2004
BONDED THRU TROY FARM INSURANCE, INC.

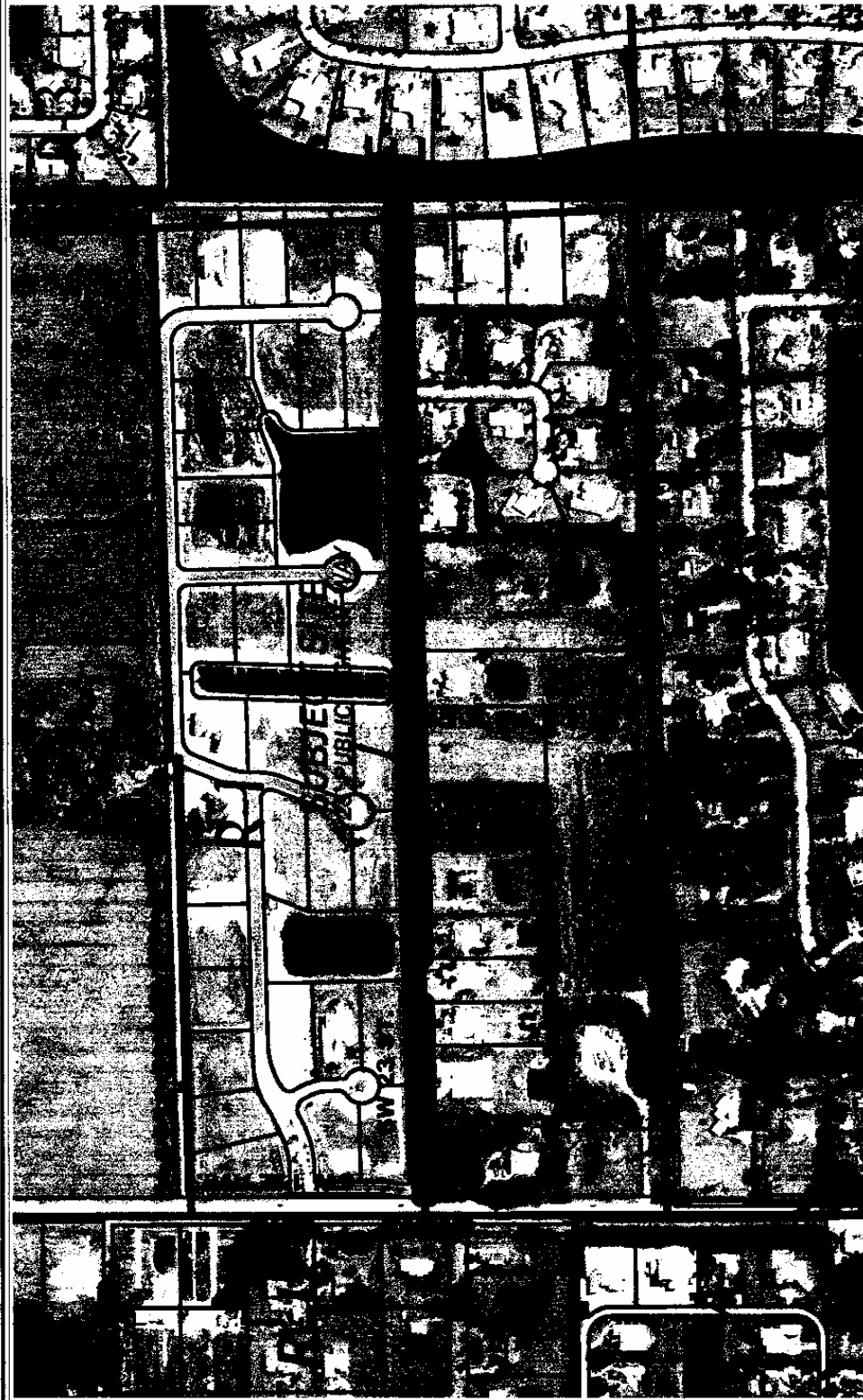
Craig Weiner
Notary Public, State of Florida

Craig Weiner
Type, Print, Stamp Name



Public Right of Way
SW 23 Street
Existing Future Land Use Map

Planning & Zoning Division - GIS



*Public Right of Way
SW 23 Street
Subject Site and Aerial Map
Date Flown: 12/31/01*



Planning & Zoning Division - GIS